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1/20/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Pope et al.

Title: Prosthetic Hip Joint Having A Polycrystalline Diamond Articulation Surface and A Plurality of Substrate Layers

Filed: January 30, 2000

Serial No.: 09/494,275/6

Docket: 6062 P

Examiner: Pellegrino, Brian E.

GAU: 3738

Assistant Commissioner for Patents  
Washington, DC 20231

## Response to Office Action

Honorable Assistant Commissioner:

This paper is intended to be fully responsive to the office action mailed on May 8, 2002.

### Amendment

Please cancel claim 17 without prejudice.

### Remarks

1. **Claim for Priority.** Applicant has attached hereto a new Declaration of Inventors and a new first page of the patent application asserting a claim for priority through a series of patent applications dating back to August 12, 1994. Applicant requests that the claim for priority be entered in the case. As this case was filed before the new rules governing a claim for priority, Applicant believes that this claim should be treated under the old rules.
2. **Formal Drawings.** Formal drawings are submitted herewith.
3. **Terminal Disclaimer.** The Examiner imposed an obviousness rejection under the judicially-created doctrine of obviousness type double patenting. Applicant has included a terminal disclaimer and fee to overcome that rejection.
4. **Specification.** Applicant will remain vigilant for errors in the specification.